THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.18291 of 2006

Dated: 01-09-2006

Between:

Col.D.S.Raju Polytechnic, Poduru, Poduru Mandal, west Godavari District, rep. by its Secretary and Corespondent, Dr. K. Ramachander Raju.

..Petitioner

and

The Employees Provident Fund Organisation, rep. by its Regional Provident Fund Commissioner-II S.R.O. Rajahmundry and another.

..Respondents.

THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.18291 of 2006

ORDER:

This writ petition is filed aggrieved by the order dated 17-08-2006 passed by the 1st respondent directing the petitioner to pay a sum of Rs.33,86,101/- towards interest and damages for the delayed remittance under Sections 7-Q and 14-B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act').

Though the petitioner raised various grounds assailing the impugned order, in view of the fact that an efficacious remedy of appeal is available under Section 7-I of the Act, I am not inclined to express any opinion on merits. Instead, I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioner to prefer an appeal against the impugned order, within a period of four weeks from today. If any such appeal is preferred, the same shall be entertained and decided in accordance with law. Pending such appeal, the impugned order dated 17-08-2006 shall not be given effect subject to the condition that the petitioner deposits half of the amount demanded, within a period of three months from today. No costs.

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G. ROHINI, J

Dated: 01-09-2006
sj